

REMARKS

Claims 1-27 are pending in this application.

In the Office Action, the Examiner rejected the Claims as follows. Claims 1 and 25-27 were objected to because of a minor informality. Claim 1 was rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Claims 1 and 25-27 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Claim 1 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 2, 5-6, and 24-27 were rejected under 35 U.S.C. §103(a) as being unpatentable over Minar "Visualizing the crowds at a Web Site," The Java Applet at <http://www.media.mit.edu/~nelson/research/crowdvis> (hereinafter Mina Applet) and U.S. Patent 5,442,741 (Hughes). Claims 3 and 4 were rejected under 35 U.S.C. §103(a) as being unpatentable over Miner Applet in view of Hughes and U.S. Patent No. 6,289,353B1 (Hazlehurst). Claims 7-23 were rejected under 35 U.S.C. §103(a) as being unpatentable over Miner Applet in view of Hughes and Hazlehurst in view of "WebQuery: Searching and Visualizing the Web through Connectivity," (Nortel).

As an initial matter, in the Office Action, at Page 2, the Examiner states "Applicants' arguments with respect to the validity of the secondary reference have been fully considered but they are not persuasive" and thereafter states "[a]nswers to these arguments were provided in the Office Action [dated] 02/23/06." However, Applicant submitted these arguments in the Response dated June 22, 2006 with respect to the rejections contained in the Office Action dated February 23, 2006. Accordingly, Applicant maintains the arguments regarding the secondary references and requests that they be considered by the Examiner.

Moreover, it is, once again, respectfully requested that the publication dates corresponding with the location (i.e., URL) of each of the secondary references relied upon by the Examiner to support his rejection be provided.

However, assuming without prejudice that the cited references are valid, in an effort to advance the prosecution of the present application, applicants respectfully submit the following arguments.

Regarding the Duplicate Claims Warning, this issue will be addressed when all of the remaining issues regarding the Claims have been resolved.

Regarding the objection to Claims 1, and 25-27, these Claims have been amended as suggested by the Examiner to overcome the objection. Accordingly, withdrawal of the objections to Claims 1 and 25-27 is respectfully requested.

Regarding the rejection of Claim 1 under 35 U.S.C. §101, Claim 1 has been amended to overcome the Examiner's objection. Accordingly, it is respectfully requested that the rejection of Claim 1 under 35 U.S.C. §101 be withdrawn.

Regarding the rejection of Claims 1 and 25-27, under 35 U.S.C. §112, first paragraph, the Examiner is directed to the paragraph beginning on Line 11, Page 17 that discloses section (3170) and FIG. 3A that specifically illustrates the section (3170) between subbrings. Accordingly, the specification provides support for the recitation of the subcategories defined by subbrings, as recited in Claim 1. Claims 25-27 include similar recitations. Accordingly, it is respectfully requested that the rejection of Claims 1 and 25-27 under 35 U.S.C. §112, first paragraph, be withdrawn.

Regarding the rejection of Claim 1 under 35 U.S.C. §112, second paragraph, Claim 1 has

been amended to overcome the rejection under 35 U.S.C. §112, second paragraph. Accordingly, it is respectfully requested that the rejection of Claim 1 under 35 U.S.C. §112, second paragraph, be withdrawn.

Regarding the rejection of Claim 1 under 35 U.S.C. §103(a), the Examiner states that Minar does not teach or suggest mapping the two or more categories to a corresponding pie segment and relies upon FIGs. 15 and 16 of Hughes to cure this deficiency.

Minar discloses icons representing pages, and teaches “the Footprints stuff didn’t work out,” and that he is “not yet sure how to manage the motion of the dots.” (e.g., see, Page 1, Minar, Office Communication mailed January 9, 2006).

Hughes, in FIGs. 15 and 16, discloses a pie chart and a method to build a pie chart respectively.

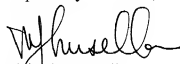
In contrast to that which is taught by Minar, amended Claim 1 includes the recitation of generating a graphical representation of said at least one instance of said mapping data structure, said graphical representation graphically depicting the two or more categories each within a corresponding pie segment and the subcategories within a plurality of categories of the two or more categories, wherein the subcategories are separated by subrings, which is neither taught nor suggested by Minar or Hughes or the combination thereof. Accordingly, it is respectfully requested that the rejection under 35 U.S.C. §103(a) of Claim 1 be withdrawn.

Regarding the rejection of independent Claims 25-27 under 35 U.S.C. §103(a), Claims 25-27 include similar recitations as those contained in independent Claim 1. Accordingly, it is respectfully submitted that Claims 25-27 are patentably distinct for at least the same reasons as stated above with respect to the rejection of Claim 1 under 35 U.S.C. §103(a). Withdrawal of rejection of Claims 25-27 is respectfully urged.

Independent Claims 1 and 25-27 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2-24, it is submitted that they are allowable at least by virtue of their dependencies on independent Claim 1. Accordingly, all of the claims pending in the application, namely Claims 1-27, are believed to be in condition for allowance and allowance is respectfully requested.

Should the Examiner have any questions regarding this communication or feels that an interview would be helpful in advancing the prosecution of this application, the Examiner is requested to contact the undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Musella", with a stylized flourish at the end.

Michael J. Musella
Reg. No. 39,310
Attorney for Applicant

THE FARRELL LAW FIRM
333 Earle Ovington Boulevard, Suite 701
Uniondale, New York 11553
516-228-3565